

**Spain-Vigo: Legal Services in the Field of Maritime Law, Marine Insurance Law, Law of the Sea and Aviation Law**

OJ S 184/2020 22/09/2020

Contract award notice

Services

**Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

---

**I.1. Name and addresses**

Official name: European Fisheries Control Agency

Postal address: Avenida García Barbón, 4

Town: Vigo

NUTS code: ES114 Pontevedra

Postal code: 36201

Country: Spain

Contact person: EFCA Procurement

E-mail: [procurement@efca.europa.eu](mailto:procurement@efca.europa.eu)

Telephone: +34 986120610

Fax: +34 886125237

**Internet address(es):**Main address: <http://www.efca.europa.eu>**I.4. Type of the contracting authority**

European institution/agency or international organisation

**I.5. Main activity**

General public services

**Section II: Object**

---

**II.1. Scope of the procurement****II.1.1. Title**

Legal Services in the Field of Maritime Law, Marine Insurance Law, Law of the Sea and Aviation Law

Reference number: EFCA/2020/OP/01

**II.1.2. Main CPV code**

79000000 Business services: law, marketing, consulting, recruitment, printing and security

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

The contractor shall provide to EFCA legal services in the field of maritime law, marine insurance law, law of the sea and aviation law. Note: The budget does not cover litigation and pre-litigation cases. Any services that EFCA may require related to litigation or pre-litigation cases would be procured separately.

### **II.1.6. Information about lots**

This contract is divided into lots: no

### **II.1.7. Total value of the procurement**

Value excluding VAT: 200 000,00 EUR

## **II.2. Description**

### **II.2.2. Additional CPV code(s)**

79100000 Legal services, 79900000 Miscellaneous business and business-related services, 79110000 Legal advisory and representation services, 79130000 Legal documentation and certification services

### **II.2.3. Place of performance**

NUTS code: ES114 Pontevedra

Main site or place of performance: The tasks are to be performed at the premises designated by the contractor.

### **II.2.4. Description of the procurement**

The following tasks are listed in order of estimated volume needs.

Task A: legal advice estimated at 30 % of the contract volume. The contractor shall primarily provide legal advice in the field of maritime law, marine insurance law and law of the sea relating to the implementation of the current FWC (hereinafter 'the FWC') for the chartering of an offshore vessel and/or any possible future maritime related contract EFCA may conclude. The legal advice will mainly consist in interpreting the terms of the FWC, identifying possible liabilities and legal exposure of EFCA arising from the employment of the vessel as well as advice on P&I matters. Likewise, the contractor shall provide legal advice relating to aerial surveillance services used by EFCA and RPAS deployed from its chartered vessel. The contractor shall provide legal advice and support during a procurement process that EFCA may launch for chartering maritime or aerial assets.

Task B: Drafting of legal documents at estimated 30 % of the contract volume. The contractor will be requested to draft legal documents, including the future FWC for the chartering of an offshore vessel (hereinafter 'the future FWC') and parts of tender documentation, which will have to be re-tendered in 2021 at the latest.

Task C: Document review estimated at 20 % of the contract volume. The contractor shall review possible agreements and contracts that EFCA may conclude with other European Agencies (like FRONTEX and EMSA) or a Member State or directly with a company, identify potential liability issues for EFCA and advice accordingly, including on suitable insurance cover.

Task D: Assistance with claims on ad hoc basis. In case of claims against EFCA or of EFCA, including those arising from the FWC or the future FWC and/or insurance coverage of the P&I club, the contractor shall provide full legal support.

Task E: Representation/attendance in meetings on ad-hoc basis. If requested by EFCA, the contractor shall represent EFCA or attend meetings with the shipping or the aviation company, the P&I club or any other relevant party.

Task F: Record keeping. The contractor shall keep a record/archive of the tasks being assigned to them by EFCA including a summary of the proposed way of action.

Task G: General cooperation.

Note: In the unlikely event that the contractor was requested to travel to perform tasks under the contract, related eligible expenses would be reimbursed in accordance with article I.5.3 of the draft contract in Annex A.

### **II.2.5. Award criteria**

Quality criterion - Name: Suitability of the team assigned to EFCA for maritime law, marine insurance law and law of the sea exceeding the number of years of experience requested in the minimum requirements: / Weighting: 60

Price - Weighting: 40

### **II.2.11. Information about options**

Options: no

### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

### **II.2.14. Additional information**

## **Section IV: Procedure**

---

### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Open procedure

#### **IV.1.3. Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

#### **IV.1.8. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

### **IV.2. Administrative information**

#### **IV.2.1. Previous publication concerning this procedure**

Notice number in the OJ S: [2020/S 047-109757](#)

#### **IV.2.8. Information about termination of dynamic purchasing system**

#### **IV.2.9. Information about termination of call for competition in the form of a prior information notice**

## **Section V: Award of contract**

---

**Contract No:** EFCA/FRA/2020/01

**Title:**

Legal Services in the Field of Maritime Law, Marine Insurance Law, Law of the Sea and Aviation Law

A contract/lot is awarded: yes

### **V.2. Award of contract**

#### **V.2.1. Date of conclusion of the contract**

10/09/2020

#### **V.2.2. Information about tenders**

Number of tenders received: 5

Number of tenders received from SMEs: 3  
Number of tenders received from tenderers from other EU Member States: 4  
Number of tenders received from tenderers from non-EU Member States: 1  
Number of tenders received by electronic means: 5  
The contract has been awarded to a group of economic operators: no

**V.2.3. Name and address of the contractor**

Official name: Holman Fenwick Willan LLP  
Town: London  
NUTS code: UKI London  
Country: United Kingdom  
The contractor is an SME: no

**V.2.4. Information on value of the contract/lot**

Initial estimated total value of the contract/lot: 200 000,00 EUR  
Total value of the contract/lot: 200 000,00 EUR

**V.2.5. Information about subcontracting**

**Section VI: Complementary information**

---

**VI.3. Additional information**

**VI.4. Procedures for review**

**VI.4.1. Review body**

Official name: General Court  
Postal address: rue du Fort Niedergrünewald  
Town: Luxembourg  
Postal code: 2925  
Country: Luxembourg  
E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)  
Telephone: +352 4303-1  
Internet address: <http://curia.europa.eu>

**VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:  
See internet address provided in Section I.3).

**VI.5. Date of dispatch of this notice**

10/09/2020